

ESTTA Tracking number: **ESTTA248966**

Filing date: **11/14/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	91187133
Applicant	Defendant One William Street Capital Management, L.P..P.
Other Party	Plaintiff Intesa Sanpaolo S.p.A.

### **Motion for Suspension in View of Civil Proceeding With Consent**

The parties are engaged in a civil action which may have a bearing on this proceeding. Accordingly, One William Street Capital Management, L.P. hereby requests suspension of this proceeding pending a final determination of the civil action. Trademark Rule 2.117.

One William Street Capital Management, L.P. has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

One William Street Capital Management, L.P. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,

/smk/

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11/14/2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

-----X	:	
INTESA SANPAOLO S.p.A,	:	
	:	
Opposer,	:	Opposition No. 91-187,133
	:	
-against-	:	
	:	
ONE WILLIAM STREET, CAPITAL	:	
MANAGEMENT L.P.,	:	
	:	
Applicant.	:	
-----X	:	

**MOTION TO SUSPEND OPPOSITION PROCEEDINGS WITH CONSENT PENDING  
DISPOSITION OF CIVIL ACTION**

Pursuant to 37 C.F.R. § 2.117(a) and TBMP Rule 510.02(a), Applicant One William Street Capital Management, L.P. ("One William Street Capital") hereby moves for suspension of the above-identified proceeding (the "Proceeding") pending the disposition of a civil action filed on November 3, 2008 in the Supreme Court of the State of New York, *Intesa Sanpaolo S.p.A. v. One William Street Capital Management L.P. et al.*, 603171/2008 (the "Civil Action").

Applicant believes that the Civil Action will be dispositive of the issues presented in the Proceeding. Both actions present claims that require a determination of whether Intesa Sanpaolo has developed trademark rights in the designation "One William Street" and if so, whether One William Street Capital's use of this designation is likely to cause confusion among the relevant public.

One William Street Capital therefore respectfully requests favorable consideration of this motion for suspension.

David Donahue, attorney for Opposer Intesa Sanpaolo S.p.A., consented to this motion in a telephone call with Scott M. Kareff, Esq. on November 13, 2008, and a copy of this Motion is being served thereon.

Dated: New York, New York  
November 14, 2008

SCHULTE ROTH & ZABEL LLP

By:           /smk/            
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